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NEW YORK

Legal slam-dunk for Charles Oakley in long-running battle with Madison Square Garden

By Larry McShane
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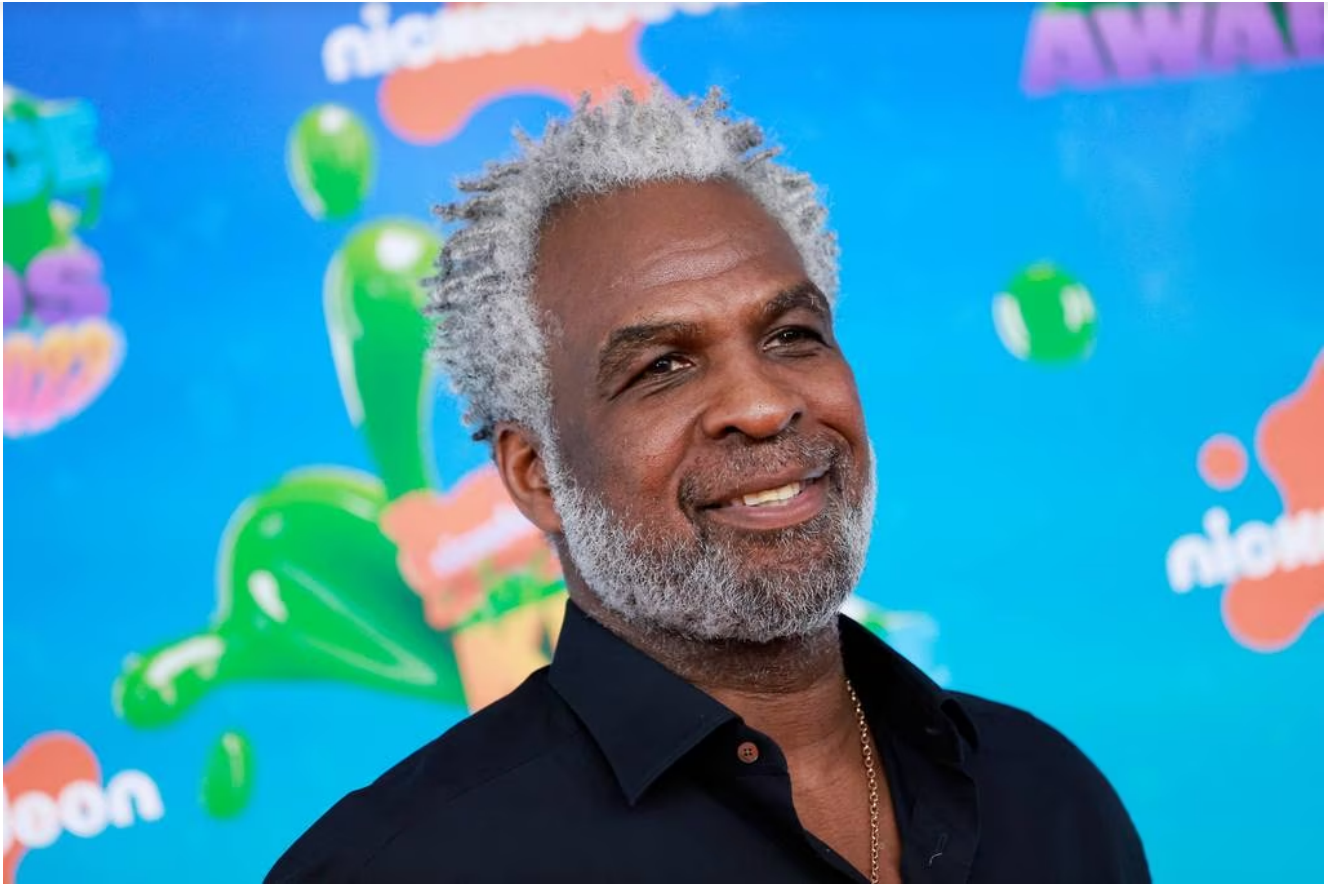
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A Manhattan federal appeals court reinstated Oakley’s lawsuit against the World’s Most Famous Arena over his 2017 ejection from the Garden while attending a game as a fan — and opened the door for the one-time power forward to add Dolan as a defendant.

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“We cannot conclude as a matter of law that no reasonable jury could conclude that the defendants gave Oakley a reasonable opportunity to depart, and that they then used only reasonable force,” read the 11-page decision [vacating a 2021 ruling](#).



Former NBA basketball player Charles Oakley arrives for the 36th Annual Nickelodeon Kids' Choice Awards at the Microsoft Theater in Los Angeles, California, on March 4, 2023. (MICHAEL TRAN/AFP via Getty Images)

Oakley's attorney Douglas Wigdor hailed the decision overturning the lower court order affirming the ban largely on video footage.

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“We are obviously thrilled with the Second Circuit’s decision and look forward to holding MSG and Dolan accountable for their actions,” he said.

Oakley, 59, emerged in retirement as a vocal critic of the polarizing Dolan’s tenure atop the Garden before [his caught-on-camera removal](#) from the Feb. 8, 2017, game against the Los Angeles Clippers.

Charges of assault, harassment and trespass against Oakley were dismissed in August 2017 after he agreed to avoid any further trouble for six months and stay out of MSG for a year.

MSG issued a statement after the incident expressing their hope that Oakley would get help for his issues as the legal battle continued across the next six years, including a February 2020 dismissal of the hoopster’s lawsuit in a ruling subsequently overturned.



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On Friday, the Garden responded to the latest court twist in the protracted legal battle.

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said in a statement. “Nevertheless, we fully expect this case to be dismissed — for the third time.”

The hard-nosed hoopster teamed with Hall of Famer Patrick Ewing on the Knicks teams of the 1990s, emerging as a popular figure among the team’s die-hard fan base.



New York Knicks owner James Dolan watches during the first half of the team's NBA basketball game against the New Orleans Pelicans on Thursday, Jan. 20, 2022, in New York. (Adam Hunger/AP)

“The only video record of Oakley’s initial encounter with the security guards does not compel the conclusions that (he) was provided a reasonable opportunity to leave the Garden and that any force used by the guards during that initial encounter was reasonable,” the three judges wrote.

There was no immediate response to the ruling from the Garden, which prevailed in the earlier court decision finding the force used was “indisputably reasonable and appropriate.”

But the new ruling found the video evidence “does not compel as a matter of law the conclusion” that the MSG defendants’ use of force was reasonable.

“In addition, given the limitation of video evidence in this case, limiting discovery may affect Oakley’s substantial rights,” the panel found.



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